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LEGISLATOR'S COPY

An act to add Section 112 to the Water Code,
relating to water, and declaring the urgency
thereof, to take effect immediately.

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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 112 is added to the Water Code, to read:

112. (a) Notwithstanding any other provision of law, neither the state, any county, nor any other public agency shall engage in any act, including, but not limited to, expending any funds, for the planning or construction of the isolated transmission facility that is recommended by the CALFED Bay Delta Program unless at a regular statewide election, the date of which is to be specified by the Legislature pursuant to a concurrent resolution, the voters voting on the question specified in subdivision (b) vote in the affirmative.

(b) The ballot at the regular statewide election specified by the Legislature pursuant to subdivision (a), shall include the following question: "Shall the isolated transmission facility recommended by the CALFED Bay Delta Program, also know as the peripheral canal, be constructed without specific approval by the California Legislature?"

(c) If a majority of all the voters voting on the question at that statewide election vote in the negative, neither the state, any county, nor any other public agency shall engage in any acts, including, but not limited to, expending funds, for the planning or

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construction of the isolated transmission facility recommended by the CALFED Bay Delta Program without further specific statutory approval.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order that further actions regarding the isolated transmission facility recommended by the CALFED Bay Delta Program be presented to the voters, it is necessary that this act take effect immediately.

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Bill No.

as introduced, Aroner.

General Subject: CALFED Bay Delta Program: isolated transmission facility.

(1) Under existing law, certain state and federal agencies with management and regulatory responsibilities in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary participate in the CALFED Bay Delta Program for the purposes of improving ecosystem quality, water supply reliability, water quality, and the integrity of the levees and channels in the bay-delta.

This bill would prohibit the state, any county, and any other local agency from engaging in any acts, including the expenditure of funds, for the planning or construction of the isolated transmission facility that is recommended by the CALFED Bay Delta Program, until a specified question is presented to the voters at a statewide election, the date of which is to be specified

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by the Legislature in a concurrent resolution. The bill would provide that if a majority of the voters at that statewide election voting on the question vote in the affirmative, planning and construction of the facility could proceed. The bill would require, if the majority of the voters at that statewide election voting on the question vote in the negative, no further action to plan or construct the facility could be taken without specific statutory approval.

(2) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.